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Lt. Governor

New Jersey Office of the Attorney General

Division of Consumer Affairs
New Jersey Board of Nursing
124 Halsey Street, 6th Floor, Newark, NJ 07102
www.njconsumeraffairs.gov/medical/nursing.htm



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May 4, 2015

VIA REGULAR AND CERTIFIED MAIL

Carolina D Benites, C.H.H.A.
26 Dalbert Street, K-6
Carteret, NJ 07008

RE: I/M/O Carolina D Benites, C.H.H.A.
Consent Order

Dear Ms. Carolina D Benites:

Enclosed herewith please find a "filed" copy of the Consent Order ("Order") entered with regard to the above referenced matter. Please read this Order carefully, as you may be subject to additional discipline if you do not comply with the terms of the Order. If you have any questions please contact Deputy Attorney General Shirley Dickstein 973-648-2779.

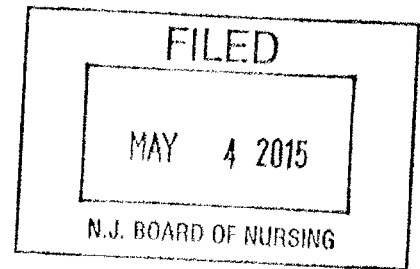
Sincerely yours,

George Hebert, Executive Director,
State Board of Nursing

Encl.

cc: Shirley Dickstein, DAG

JOHN J. HOFFMAN
ACTING ATTORNEY GENERAL OF NEW JERSEY
Division of Law
124 Halsey Street - 5th Floor
P.O. Box 45029
Newark, New Jersey 07101
Attorney for the Board of Nursing



By: Shirley P. Dickstein
Deputy Attorney General
Telephone (973) 648-2779

STATE OF NEW JERSEY
DEPARTMENT OF LAW AND PUBLIC SAFETY
DIVISION OF CONSUMER AFFAIRS
STATE BOARD OF NURSING

IN THE MATTER OF THE SURRENDER	:	Administrative Action
OF THE CERTIFICATE OF	:	
Carolina D. Benites, C.H.H.A.	:	CONSENT ORDER OF VOLUNTARY
CERTIFICATE NO.: 26NH11816900	:	SURRENDER OF CERTIFICATION
	:	TO PRACTICE AS A HOMEMAKER-
	:	HOME HEALTH AIDE
TO PRACTICE AS A CERTIFIED	:	
HOMEMAKER-HOME HEALTH AIDE	:	
IN THE STATE OF NEW JERSEY	:	

This matter was opened to the New Jersey State Board of Nursing (the "Board") upon receipt of a complaint by Loving Care Agency alleging that its employee, Carolina D. Benites, ("Respondent"), the holder of homemaker-home health aide Certificate 26NH11816900 in the State of New Jersey, stole items valued at approximately \$4070.00 from her client's home. The items consisted of jewelry, a USB drive, a purse, a wallet, clothing and cash. Respondent was observed on a video recording

taking the items and admitted to Loving Care that she took them. Loving Care terminated Respondent's employment.

Respondent was arrested on January 14, 2015 by the Middlesex County Sheriff's Office for violation of N.J.S.A. 2C:20-3A, Theft of Moveable Property and was indicted on December 24, 2014 in the New Jersey Superior Court, Middlesex County Law Division, on one count of Theft By Unlawful Taking. Respondent admitted to the police that she took some of the items she was charged with taking.

The video recording and Respondent's admissions demonstrate that Respondent engaged in the use of dishonesty, deception and misrepresentation, in violation of N.J.S.A. 45:1-21(b), has engaged in professional or occupational misconduct, in violation of N.J.S.A. 45:1-21(e) and has engaged in an act constituting a crime which relates adversely to homemaker-home health aide practice in violation of N.J.S.A. 45:1-21(f).

It appearing that Respondent wishes to voluntarily enter into an agreement without making admissions; the Board finding that the public health, safety and welfare is adequately protected, and other good cause having been shown;

IT IS on this 04th day of May, 2015;

ORDERED THAT:

1. Respondent is hereby granted leave and shall

immediately and permanently surrender her certification to practice as a homemaker-home health aide, to be deemed a permanent revocation of her certification to practice as a homemaker-home health aide in the State of New Jersey with prejudice. Respondent shall never apply for reinstatement of her certification in the State of New Jersey in the future.

2. Respondent shall immediately cease and desist from holding herself out as a certified homemaker home health aide and/or practicing as a homemaker-home health aide, which includes, but is not limited to, performing nursing regimens or nursing tasks delegated through the authority of a duly licensed professional nurse. Any practice in this State shall constitute grounds for a charge of unlicensed practice.

3. Within five days following the service of this Order, Respondent shall surrender her original wall certificate, her wallet certificate, and the most recent renewal card (if any) to an authorized representative of the Board or mail these items to: Executive Director George Hebert, Executive Director, State Board of Nursing, P.O. Box 45010, Newark, New Jersey 07101.

4. Respondent is assessed a civil penalty in the amount of five thousand dollars (\$5,000), to be stayed in its entirety and activated and paid only if Respondent violates any term of this Consent Order. In the event of any such violation, the civil

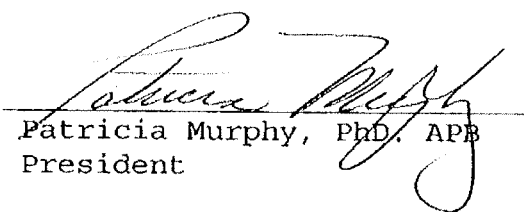
penalty shall be immediately due and payable. Payment shall be made by certified check, bank cashier check, or money order payable to the "State of New Jersey," or by wire transfer, direct deposit, or credit card payment delivered or mailed to George Hebert, Executive Director, State Board of Nursing, P.O. Box 45010, Newark, New Jersey 07101. Any other form of payment will be rejected and will be returned to the party making the payment. In the event Respondent fails to make a timely payment, a certificate of debt shall be filed in accordance with N.J.S.A. 45:1-24 and the Board may bring such other proceedings as authorized by law.

4. Nothing contained herein shall be deemed an admission of liability on the part of the Respondent, nor prejudice her ability to defend against the criminal charges.

5. Any violation of this Consent Order by Respondent shall constitute grounds for such proceedings as are permitted by law.

NEW JERSEY STATE BOARD OF NURSING

By:


Patricia Murphy, PhD. APB
President

I have read the within Order and
understand it. I agree to be bound by
its terms and hereby consent to it being
entered by the New Jersey Board of Nursing

Carolina Benites

Carolina D. Benites, C.H.H.A.

I consent to the form
and entry of this Order

Jose M. Cameron, Esq.

Attorney for Carolina D. Benites

Date: April 17, 2015

